

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

5 GARY DEWAYNE BEARDEN,) No. C 06-1419 MMC (PR)
6 Plaintiff,)
7 v.) **ORDER OF DISMISSAL**
8 DIRECTOR SCARMMENZINO, et al.,)
9 Defendants)

11 Plaintiff, a California prisoner proceeding pro se, file the above-titled civil rights
12 action on February 24, 2006. That same date, the Court notified plaintiff in writing that the
13 action was deficient due to his failure to pay the requisite filing fee or, instead, submit a
14 completed court-approved in forma pauperis ("IFP") application. In said notice, plaintiff was
15 advised that his failure to pay the filing fee or, alternatively, to file a completed IFP
16 application, including a trust account statement showing transactions for the preceding six
17 months and a certificate of funds form signed by an institution official, within thirty days,
18 would result in dismissal of the action. Along with said notice, plaintiff was sent a copy of
19 the Court's IFP application, instructions for completing it, and a return envelope. Plaintiff
20 has not responded to the notice.

21 As more than thirty days have passed since the deficiency notice and plaintiff has not
22 completed the IFP application or paid the filing fee, the above-titled action is hereby
23 DISMISSED without prejudice. No fee is due.

24 The Clerk shall close the file.

25 IT IS SO ORDERED.

26 DATED: June 1, 2006


27 MAXINE M. CHESNEY
28 United States District Judge